

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

W. ROBERT JONES,

Civil Action No. 2:22-cv-01255-WSS

Plaintiff,

v.

Judge William S. Stickman

CITY OF GREENSBURG,

Defendant.

DEFENDANT'S OFFER OF JUDGMENT PURSUANT TO FED.R.CIV.P. 68

Defendant, by and through its undersigned counsel, Brian P. Gabriel, Esquire, Allison N. Genard, Esq. and Campbell Durrant, P.C., hereby submits this Offer of Judgment to Plaintiff, W. Robert Jones, subject to the following terms:

1. Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant submits this offer to allow judgment to be taken against Defendant by Plaintiff in the amount of Thirty-Five Thousand Dollars and No Cents (\$35,000.00). This judgment is exclusive of all counsel fees, but inclusive of all other damages, costs, interest, or monetary claims of any kind arising from the causes of action set forth in Plaintiff's Complaint and all claims that could have been asserted in this litigation.

2. This offer of judgment is inclusive of all claims and requests for relief advanced by Plaintiff in the above-captioned matter, excluding attorney's fees.

3. Through acceptance of this offer, Plaintiff understands and agrees that this lawsuit will be dismissed with prejudice.

4. This Offer of Judgment is made for the purpose specified in Rule 68 and is not to be construed as an admission that Defendant is liable in this action or that Plaintiff has suffered any damages. Said judgment is to have no effect whatsoever except to

resolve this case fully and finally. This Offer of Judgment is not admissible as evidence in any proceeding except, if rejected, in a proceeding to determine costs.

5. As part of the foregoing offer, Plaintiff shall be entitled to recover all reasonable and necessary counsel fees. Upon receipt and review of Plaintiff's billing entries, Defendant shall promptly notify Plaintiff's counsel if it disputes any fees or costs. If Defendant has objections, counsel shall confer and attempt to resolve the dispute. If agreement is not reached, Plaintiff may petition the court for the recovery of reasonable and necessary counsel fees and costs recoverable. Defendant reserves the right to oppose any fees or costs it believes to be unreasonable or unnecessary.

6. Notice is hereby given that Defendant, City of Greensburg, reserves the right to seek the recovery of all costs incurred subsequent to this Offer of Judgment at the conclusion of this litigation if this Offer of Judgment is not accepted in writing within fourteen (14) days.

CAMPBELL DURRANT, P.C.

CLERK'S ENTRY OF JUDGMENT	
Date: 3/29/2023	
Brian Wright	Docket Clerk
Brandy S. Lonchena	Brandy S. Lonchena



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Counsel for Defendant, City of Greensburg

Dated: March 20, 2023